IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

Christopher Laccinole, Petitioner, vs. Wells Fargo Financial Rhode Island Inc., Respondent.	Civil Action No. 1:16-0001

WELLS FARGO FINANCIAL RHODE ISLAND INC.'S ANSWER TO PETITIONER CHRISTOPHER LACCINOLE'S PETITION TO COMPEL ARBITRATION

Wells Fargo Financial Rhode Island Inc. (hereinafter "Wells Fargo") states that by email dated January 26, 2016, (attached hereto as Exhibit A), it has agreed to arbitrate this dispute in JAMS. Accordingly, Petitioner Christopher Laccinole's ("Laccinole") Petition to Compel Arbitration ("Petition") is moot.[1] Wells Fargo further responds to the Petition, line by line, as follows:

I. PRELIMINARY STATEMENT

Laccinole's "Preliminary Statement" constitutes a summary characterization of his claims to which no response is required. To the extent a response is deemed required, Wells Fargo admits that Laccinole filed a complaint with AAA regarding a dispute he has with Wells Fargo over his consumer credit report. Wells Fargo denies that AAA "refuses to administer arbitrations for Wells Fargo because of Wells Fargo's contract requirements." Further answering, Wells Fargo states that by email dated January 11, 2016, AAA assigned former Rhode Island Supreme Court Justice Frank Williams to arbitrate this matter.

[1] For the same reason, Laccinole's requests for a hearing on his Petition are moot as well. (*See* Dkt Nos. 2, 3).

II. PARTIES

1. Wells Fargo lacks knowledge or information sufficient to respond to the allegations set forth in Paragraph 1.

2. Wells Fargo admits the allegations set forth in Paragraph 2.

3. The allegations set forth in Paragraph 3 call for a legal conclusion to which no response is required.

4. The allegations set forth in Paragraph 4 call for a legal conclusion to which no response is required.

5. Wells Fargo denies the allegations set forth in Paragraph 5.

6. Wells Fargo denies the allegations set forth in Paragraph 6.

7. Wells Fargo denies the allegations set forth in Paragraph 7.

III. JURISDICTION AND VENUE

8. The allegations set forth in Paragraph 8 call for a legal conclusion to which no response is required.

9. The allegations set forth in Paragraph 9 call for a legal conclusion to which no response is required.

10. The allegations set forth in Paragraph 10 call for a legal conclusion to which no response is required.

11. The allegations set forth in Paragraph 11 call for a legal conclusion to which no response is required.

12. The allegations set forth in Paragraph 12 call for a legal conclusion to which no response is required.

13. The allegations set forth in Paragraph 13 call for a legal conclusion to which no response is required. Further answering, Wells Fargo states that Exhibit A speaks for itself.

IV. FACTUAL ALLEGATIONS

14. Wells Fargo admits the allegations set forth in Paragraph 14.

15. Wells Fargo lacks knowledge or information sufficient to respond to the allegations set forth in Paragraph 15.

16. Wells Fargo denies the allegations set forth in Paragraph 16.

17. Wells Fargo states that Exhibit A speaks for itself, and thus no response is required.

18. Wells Fargo admits that upon information and belief, AAA of Rhode Island does not presently have a retired federal judge to serve as an arbitrator.

19. Wells Fargo lacks knowledge or information sufficient to respond to the allegations set forth in Paragraph 19, specifically Laccinole's reasoning for requiring a retired federal judge. Further answering, Wells Fargo admits that Laccinole has demanded that a retired federal judge serve as arbitrator for this dispute.

20. Wells Fargo admits the allegations set forth in Paragraph 20.

21. Wells Fargo states that Exhibit B speaks for itself, and thus no response is required.

22. Wells Fargo states that the allegations set forth in Paragraph 22 do not pertain to Wells Fargo, and thus no response is required.

23. Wells Fargo denies the allegations set forth in Paragraph 23.

24. Wells Fargo denies the allegations set forth in Paragraph 24.

25. Wells Fargo denies the allegations set forth in Paragraph 25.

26. Wells Fargo denies the allegations set forth in Paragraph 26.

27. Wells Fargo denies the allegations set forth in Paragraph 27.

28. Wells Fargo denies the allegations set forth in Paragraph 28.

29. Wells Fargo denies the allegations set forth in Paragraph 29.

30. Wells Fargo states that Exhibit C speaks for itself, and thus no response is required.

31. Wells Fargo denies the allegations set forth in Paragraph 31. Further answering, Wells Fargo states that by email dated January 26, 2016, it agreed to arbitrate the dispute in JAMS.

32. Wells Fargo denies the allegations set forth in Paragraph 32. Further answering, Wells Fargo states that by email dated January 26, 2016, it agreed to arbitrate the dispute in JAMS.

33. The allegations set forth in Paragraph 33 to not pertain to Wells Fargo, and thus no response is required.

34. Wells Fargo denies the allegations set forth in Paragraph 34.

V. DISCUSSION

The "Discussion" section of the Petition contains conclusions of law to which no response is required.

WHEREFORE, Wells Fargo denies that Laccinole is entitled to any relief whatsoever, including but not limited to the relief requested in the "Conclusion" section of his Petition.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Laccinole's Petition is barred by lack of subject matter jurisdiction because his demand for arbitration has been mooted by Wells Fargo's agreement to arbitrate before JAMS.

Second Affirmative Defense

Laccinole's Petition fails to state a claim upon which relief can be granted.

Respectfully submitted,

Wells Fargo Financial Rhode Island Inc.,

By its Attorney,

/s/ *Lauren J. O'Connor*
Lauren J. O'Connor (Bar# 7808)
Seyfarth Shaw LLP
Two Seaport Lane, Suite 300
Boston, MA 02210-2028
Telephone: (617) 946-4800
Email: loconnor@seyfarth.com

Dated: January 26, 2016

CERTIFICATE OF SERVICE

I, Lauren O'Connor, hereby certify that this document has been served by ECF and first-class mail on each party on January 26, 2016, including:

Chris Laccinole
17 Richard Smith Road
Narragansett, RI 02882

/s/ *Lauren J. O'Connor*
Lauren J. O'Connor